IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1730 OF 2004

A N D

CIVIL APPLICATION NO. 1731 O 2004

IN

WRIT PETITION NO. 24 OF 1991

Hasan Miya Usman Shaikh ...Petitioner
vs.
Smt. Rakhamabai Balkrishna Bairag ....Respondents

H.N. Kore for the petitioner.

CORAM: S.U. KAMDAR, J.

DATE : 25th November, 2005.

P.C. :

1. Both the present applications are taken out by the legal heirs of the petitioner to bring the legal heirs of the petitioner as well as the respondent no.1 on record.

2. In both the matters the respondent no.1 has expired in 1991 whereas the petitioner has expired in 1994. There is a delay of 14 years and 11 months in taking out both these applications. Considering the ground set out in the affidavit I condone the said delay and permit the legal heirs to be brought on record. However the applicant is directed to pay cost of Rs.3000/- within four weeks to the Maharashtra State Legal Aid Services Authority. Both the Civil Applications are disposed off accordingly. If the cost is not paid, the Civil Application to stand dismissed,

sd/-

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